

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID E. WRIGHT,)	1:02-cv-05735-REC-TAG HC
)	
Petitioner,)	ORDER DIRECTING PETITIONER TO
)	NOTIFY COURT OF HIS PRESENT
v.)	CUSTODY OR RELEASE STATUS
)	
J.T. O'BRIEN, Warden,)	
)	
Respondent.)	

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On June 17, 2002, Petitioner filed a habeas Petition in this Court contending that Respondent had failed to credit him with all credits to which he was entitled, thereby violating his Due Process Rights under the Fifth and Fourteenth Amendments and also under the Eighth Amendment. (Doc. 1, pp. 4-5). Petitioner contends that Respondent has not properly calculated the pre-sentence credits resulting from his original incarceration by the State of Oregon. (Id.). Petitioner's projected release date is July 26, 2006. (Doc. 7, p. 2).

At this time, the Court is reviewing the file and preparing to make a ruling the merits of Petitioner's contentions. Because of the length of time that has transpired since the Petition was filed, however, Petitioner may no longer be in custody, thus making the Petition moot. Therefore, Petitioner will be required to submit a status report regarding his release or lack thereof from federal custody before the Court issues its ruling.

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1 Accordingly, Petitioner is DIRECTED to file a status report regarding his release within
2 fifteen (15) days of the date of service of this order.

3
4 IT IS SO ORDERED.

5 **Dated: December 27, 2005**
j6eb3d

/s/ Theresa A. Goldner
UNITED STATES MAGISTRATE JUDGE